

REMARKS

In the Notice of Allowability and Notice of Allowance dated January 4, 2010, the Examiner indicated that claims 1, 10-19, 32, and 36-46 were allowed. In the Notice of Allowability, the Examiner cancelled claims 12, 13, and 38 via an Examiner's Amendment and amended claims 1 and 32 to remove the term "monophosphate." The present amendment seeks to add new claims 51 and 52, and thus claims 1, 10, 11, 14-19, 32, 36, 37, 39-46, 51, and 52 should be pending and allowed once this amendment is entered. Applicant is filing this Amendment After Allowance concurrently with applicant's Response to Notice of Allowance and Comments on Examiner's Reasons for Allowance.

Applicant thanks the Examiner for the courtesy of a telephonic interview with Janice Kugler DeYoung on December 14, 2009 wherein authorization was given for the Examiner's Amendment. Upon review of the allowed claims, Applicant found the amendments to claims 1 and 32 and cancellation of claims 12 and 38 acceptable. However, applicant does not accept the Examiner's cancellation of claim 13, which depends from claim 1 and refers to the antiherpes substance ganciclovir monophosphate. During the interview, applicant understood that with respect to claim 13, the term "monophosphate" would be deleted, but not that the entire claim would be cancelled. Thus, applicant has by the present amendment sought to add new claim 51, which refers to ganciclovir and reflects the changes that were agreed upon for claim 13, namely to delete "monophosphate," while retaining a claim that depends from claim 1 and specifies the antiherpes substance, ganciclovir. Applicant has also proposed to add new claim 52, which depends from claim 32 and refers to a kit comprising ganciclovir.

CONCLUSION

Applicant respectfully requests that the proposed amendment after allowance be accepted. The Examiner is invited to telephone the undersigned attorney if this would expedite prosecution.

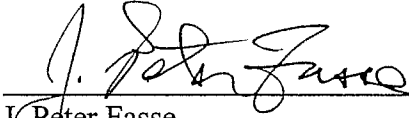
Applicant : George E. Wright
Serial No. : 10/767,019
Filed : January 29, 2004
Page : 7

Attorney's Docket No. 07917-0183001

No fees in addition to the Issue Fee, which is being paid separately, are believed to be due. However, please apply any additional charges or credits to Deposit Account No. 06 1050, referencing attorney docket number 07917-0183001.

Respectfully submitted,

Date: April 5, 2010



J. Peter Fasse
Reg. No. 32,983

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (877) 769-7945